

Report on illegal immigration during the year 2004

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2004 has been the year in which the highest number of deaths resulting from illegal immigration has been recorded

During the year 2004, the tragedy of illegal immigration has continued. It is terrible to have to talk, year after year, about this phenomenon that never ends. The phenomenon of immigration has deep and complex roots, which are anchored in the inequalities and in the North-South divide, which is further fuelled by so-called globalisation. However, the reasons that convert immigration into something illegal are to be found in the European policies to close the borders and reject immigrants, as well as in European and national legislation that establish and shape what some have been referring to as Fortress Europe.

It will be difficult to get to know the magnitude of the human tragedy that is resulting from forced illegal immigration with any degree of certainty. During the year 2004, **289** persons have died as they attempted to secure a dignified future for themselves, according to monitoring work carried out by **Apdha** (*Asociación Pro Derechos Humanos de Andalucía*, Andalusian Human Rights Association). However, it is more than likely that the total number of victims is well over **500** persons.

It is the highest number of deaths in the last ten years. It is not gratuitous to blame the policy of border control and closure for this tragedy.

Monitoring the tragedy

(* D/D column refers to deaths and disappearances)

Date	Place	D/D*	Circumstances
16 January	Fuerteventura	19	16 immigrants drowned and three disappeared after falling into the sea in a zone that is only three metres deep and is a few metres away from the coast of Fuerteventura.. The wooden dinghy, which carried 28 persons, was thrown onto the rocks by a wave, near to the cliffs of Faro de la Entallada. The shipwreck, which occurred not far from one of the radars that are part of the electronic sealing of the coast that allows the detection of any dinghy that approaches the coast of Fuerteventura. "Yesterday, the rough sea and the height of the waves created a 'screen effect', that hid the dinghy from the radar's

			view, thus preventing its detection". On the 21st the bodies of the three disappeared persons were found.
18-19 January	Fuerteventura	3	The dead bodies of three immigrants in an advanced state of decomposition are found floating in the waters of Fuerteventura. The Guardia Civil rules out that they may have been some of the passengers from the vessel that was shipwrecked two days earlier.
26 January	Chiclana (Cádiz)	1	The corpse of a 25 to 30 year old person from a Maghreb country appears on Barrosa beach in Chiclana.
15 February	El Aioun (Sahara)	18	Forum Alternativas reports that 15 corpses of sub-Saharan Africans have been collected and three people have disappeared south of El Aioun.
8 March	Ceuta	1	The corpse of a 40-year-old man who tried to swim into Ceuta appears.
4 April	Ceuta	1	The Guardia Civil locates the corpse of a young Algerian man who died as he tried to swim into Ceuta with other three immigrants from Morocco.
12 April	Dajla (Sahara)	12	Moroccan human rights organisations report the appearance of twelve corpses near Dajla, to the south of the Sahara.
17 April	Fuerteventura	17	A total of 16 dead immigrants and one disappeared baby is the result of the shipwreck of two dinghies which, according to police sources, crashed against the rocks this morning in the area known as Punta de la Salina Alta in the waters of Fuerteventura. A total of 47 persons managed to survive.
19 April	Fuerteventura	1	An Asian immigrant dies after jumping into the sea in an attempt to avoid being detained by the Guardia Civil.
23 April	Fuerteventura	1	An immigrant dies of hypothermia during the journey in a small boat that reached the coast of Fuerteventura. There were 31 immigrants on board, including three women and a baby. Five of the immigrants also required medical care.
26 April	Cartagena (Murcia)	2	Two stowaways were found, already dead, when the merchandise in the ship Huseyin Kalaci is unloaded in the Isaac Peral de Escombreras dock. They died of asphyxia while they were concealed among tons of carob. The ship came from Casablanca.
1 May	Melilla	1	A migrant dies in the CETI (temporary migrant reception centre), reportedly as a result of lack of medical care
21 May	Puerto de la Luz (Las Palmas)	5	In the early hours of yesterday evening the Liberian cargo ship 'Natalie Bolten', which had set off from the Ivory Coast, arrived in the port of La Luz in Las

			Palmas, with the corpses of five stowaways that were discovered three days after its departure on board.
25 May	San Roque (Cádiz)	3	Three dead bodies appear on a mound and a fourth one is found in a very serious condition on the A7 motorway in Torreguadiaro, who were probably abandoned by the driver of a van and died of asphyxia
14 June	Vélez-Málaga (Málaga)	1	The dead body of a man who may have drowned travelling in a dinghy appears on the beach.
26 July	Melilla	1	A floating corpse that was flowing in the waters of Melilla is collected.
30 July	Tarifa	15	A dinghy carrying 33 immigrants capsizes after they stand up in Punta Paloma. Five dead and ten missing persons.
8 August	Algeciras	1	Some bathers find a dead body in the water in Punta Carnero.
13 August	Fuerteventura	33	A dinghy carrying 39 people capsizes after the migrants stand up when a Guardia Civil patrol boats approaches. Six people were rescued alive, as well as one dead body, while the rest were missing and probably died, as the dinghy capsizes eight miles away from Fuerteventura.
16 August	El Aiun (Sahara)	34	The waters of the Atlantic Ocean returned the corpses of four sub-Saharan Africans to the beaches in the city of El Ayoun, the capital of Western Sahara, which is occupied by Morocco. Over the following days, another 14 corpses appeared on those same beaches. According to AFVIC, the bodies were of 18 immigrants travelling in a dinghy carrying 34 people on board which suffered a shipwreck on the previous week-end as it attempted to reach the Canary Islands coast. The rest of the bodies were swallowed up by the ocean.
21 August	Fuerteventura	4	Four sub-Saharan immigrants drowned after their dinghy capsized only a few metres away from Los Pajaritos beach. 34 people were rescued alive.
21 August	Motril (Granada)	1	The Guardia Civil recovered a corpse with Maghreb country features at the cliffs of Rijana beach. The first inquiries suggested that he had been dead for five days, leading to the suspicion that he may have died after jumping into the sea from a dinghy that was intercepted on the 13 th in this area.
21 August	Los Barrios (Cádiz)	1	The dead body of a Moroccan is found in Palmones beach. It appears that he may have died of asphyxia in the boot of the car of some relatives who were carrying him from Morocco as they returned from their holidays.

29 August	Algeciras	1	The body of a Moroccan person floating towards a dock appears in the port of Algeciras.
2 September	Ceuta	1	The Guardia Civil found the dead body of a Maghreb country immigrant who had presumably attempted to enter the city by swimming, as he was wearing a wetsuit, near the border in Benzú.
3 September	Larache	2	Two brothers stole a jet-ski in Larache to attempt the crossing of the strait, but they died in the sea off the coast of Tangiers, where their dead bodies appeared.
9 September	Fuerteventura	8	Eight immigrants disappeared yesterday, and a further 29 were saved as they were rescued by the <i>Santo Miño</i> , a tuna fishing ship. This happened around 29 miles (around 50 km) from the Entallada cape, in Fuerteventura.
9 September	Almería	1	A person jumps off the ship <i>Saa I</i> , as he was being repatriated from Germany to Al-Hoceima.
10 September	Melilla	1	The Subaquatic Activities Team of the Guardia Civil found the dead body of an Algerian immigrant in Melilla. The immigrant, who was 32 years old, was found this morning by the officers on the shore of La Hípica beach, near to the Southern Dike, which is only 100 metres away from the Moroccan port of Beni-Enzar.
30 September	Sahara	2	Two French journalists disembark from a dinghy in Fuerteventura on the 6th and report that they had tried this the previous week but the dinghy capsized near to the coast and two people died
October	Tarfaya	28	According to AFVIC, 28 dead bodies were collected to the south of Tarfaya in mid-October.
13 November	Fuerteventura	7	Seven immigrants disappeared in the sea last night in Fuerteventura, in the middle of a rescue operation by the Guardia Civil which had intercepted the dinghy in which they were crammed alongside 28 other Africans. This happened around 300 metres from the coast of Pozo Negro (in the municipality of La Antigua).
28 November	Fuerteventura	16	There were 2 dead and 14 disappeared people after a Guardia Civil launch approached to rescue the passengers of a dinghy in which 45 people were travelling, five miles away from the coast of Pozo Negro in the municipality of La Antigua.
4 December	Fuerteventura	4	At least four immigrants disappeared after the shipwreck of a dinghy in the high sea near the coast of Fuerteventura, while the occupants of another boat that capsized in the sea were rescued without suffering injuries. The first shipwreck occurred around fifteen miles from the light-tower of La Entallada, in the municipality of

			<p>Tuineje, when a dinghy carrying 40 immigrants sank. Four of the immigrants in this vessel, three men and a woman, disappeared into the sea, while the rest of the who were on board were rescued alive by a Guardia Civil patrol boat. One of the bodies was found on the 19th on the beach of La Isla de los Lobos. Shortly after the first shipwreck, another vessel with 40 more immigrants on board capsized in the same area as it travelled around nine miles from the coast, but all its occupants were rescued alive by a Maritime Rescue boat.</p>
16 December	Melilla	1	An immigrant dies after falling off the Aguadu cliffs in Melilla, where he apparently lived in a cave.
17 December	Melilla	1	The Guardia Civil found the floating body of an immigrant in the inlet of Trápana in the province of Melilla. It is an area of cliffs from which it appears that the victim fell into the void.
21 December	Fuerteventura	3	<p>A Salvamento Marítimo (Maritime Rescue) vessel rescued a dinghy in which two dead African immigrants and another one who was in serious conditions were found, as well as 34 other passengers who were rescued in good conditions, 24 miles away from Fuerteventura. The dramatic rescue operation started on the Tuesday, when a phone call was received from a mobile phone that reported that there was a boat that was at the mercy of the sea in the high sea.</p> <p>Salvamento Marítimo informed that the boat's passengers claimed that it had set off from the African continent with 38 men on board, including the two dead and another who was declared missing after falling into the sea in circumstances that have not yet been clarified.</p>
22 December	Martil-Tetouán (Morocco)	21	Over 20 persons lost their lives in the shipwreck of a dinghy in Martil-Tetouán, according to <i>Ahdath Magribia</i> newspaper. The family of the immigrant who lived in the Martil area requested assistance to the police and gendarmerie, but it appears that no patrol boat went out to rescue the victims, who were in the sea for almost 16 hours.
23 December	Fuerteventura	13	A dinghy that was travelling with 13 dead sub-Saharan Africans on board, as well as a further four who were in serious conditions and 30 survivors, including a 17-year-old minor, was found in the waters off Fuerteventura. The boat was detected at three in the afternoon by the Guardia Civil radar when it was seven miles away from the island and was spotted shortly afterwards by its helicopter, whose crew observed that

			<p>the immigrants were standing, a strange fact that was ascertained to have been a result of the fact that the dinghy floor was covered by dead bodies.</p> <p>Police sources assured that the scene that the little boat presented was horrible, as during several hours the living and the dead shared the small space in the dinghy while some of the survivors were holding onto the bodies of their relatives.</p> <p>The survivors claimed that they had spent two or three days in the open sea without any fuel, water or food.</p>
24-26 December	Las Palmas de Gran Canaria	2	<p>On the 24th the Guardia Civil recovered the dead body of a sub-Saharan immigrant in the waters of the neighbourhood of San Cristóbal in Las Palmas de Gran Canaria. On the 26th the floating dead body of another sub-Saharan African was found in the Fishing Dock. The possibility that they may have some relation to the deaths that occurred on the 23rd has been dismissed due to their advanced state of decomposition.</p>
30 December	Las Palmas de Gran Canaria	1	<p>The floating dead body of a sub-Saharan immigrant appeared at 9.00 in the waters off Agaeta, in the north of Gran Canaria. The body that was found after it was noted by some inhabitants of the municipality, is in a very advanced state of decomposition, which means that it must have been at sea for over two weeks. He is the third dead immigrant who appeared in this water since last week.</p>
Total		289	

It is clear that, to the extent that the migratory flows using a dinghies to reach the Canary Islands have been increasing, there has also been an increase in the number of people who lose their lives trying to reach the islands, in comparison with those who try to reach the Andalusian coast.

Area	Deaths/disappearances
Canary Islands	137
Andalusian Coast	25
Ceuta and Melilla	8
Morocco and Sahara	117
Others	2

Total	289
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In the analysis of the conditions in which shipwrecks occur or take place, it must be highlighted that the largest number of deaths occur in the initial moments, when the dinghies set off from the coast. Logically, all of these deaths have taken place off the coast of the Western Sahara and Morocco.

However, the second period that is most dangerous during the crossing has paradoxically been when dinghies are intercepted, as a result of the very philosophy of the SIVE (Sistema Integral de Vigilancia Exterior), that is, that of early interception which, furthermore, is carried out using launches and vessels that are not appropriate for salvage and rescue operations.

Probable cause	Deaths/disappearances
Crash against cliffs	40
Corpses appear floating, or on the beach	24
Attempt to enter swimming or hit cliffs	6
They jump into the sea not to be caught	3
Stowaways	7
Asphyxiation in vehicle	4
During open sea rescue operations	71
Shipwreck as the dinghy sets off	103
Shipwreck in the open sea	14
Hypothermia	17
Total	289

Eight years of death due to the policy of closing the border

Over the last eight years, the APDHA has ascertained that no less than 1,400 persons have died, victims of illegal immigration. The real number of deaths resulting from the policy of closing the border will never be known. An estimate that is by no means exaggerated could raise the figure to almost 2,500 or 3,000 persons.

These figures and estimates are conservative. In reality, the tragedy may be a lot larger. For example, the **Asociación de Familiares de Víctimas**

de la Inmigración Clandestina de Marruecos (AFVIC, Association of Relatives of the Victims of Illegal Immigration of Morocco), raises the figure of people who have lost their lives to more than 5,000 over the eight years that are under scrutiny, and adds that this is just the tip of the iceberg, as two or three people have disappeared for every dead body that has been found.

In this same direction, the Mexican newspaper El Universal estimates that over the last five years, four thousand people have died and an equal number have been collected by the authorities when they were on the verge of dying.

Finally, and so as to provide a variety of estimates, according to information presented at the Congreso Mundial de Movimientos Humanos e Inmigración (World Congress on Human Movement and Immigration) in the 2004 Forum in Barcelona, around 10,000 illegal migrants have lost their lives over the last ten years.

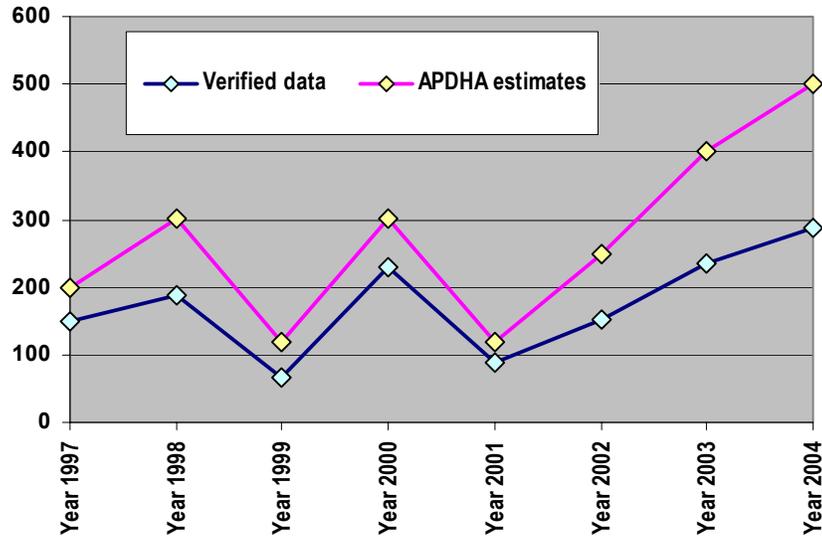
The year 2004 has been the one during which the largest number of deaths has been recorded, and it is when the effectiveness of the SIVE has been most strongly defended... maybe they are referring to the effectiveness of having turned our waters into a big graveyard! On the contrary, the year when the least deaths were recorded was 1999, when 66 dead bodies were recovered, and the SIVE did not exist yet. Obviously, all of these deaths are “collateral effects” for the defenders of the current immigration policies, of the same kind that we should accept (sic.)

Year	Data from APDHA monitoring	APDHA estimates	Other estimates
1997	149 deaths or disappearances	200	
1998	189 deaths or disappearances	300	ATIME estimates that there have been 1000 deaths in 1998 (200 in Spain, 800 in Morocco)
1999	66 deaths or disappearances	120	The Moroccan newspaper Liberación estimates that 3.450 people have died in the decade of the 1990s
2000	230 deaths or disappearances	300	ATIME claims that around 300 deaths have occurred during the year on the Moroccan coast.
2001	88 deaths or disappearances	120	AFVIC claims that between 1997 and 2001, on both sides of the Strait of Gibraltar, 3.286 dead bodies of immigrants who have drowned have been recovered, although this is only the tip of the iceberg, as it calculates that there have been three disappeared persons for every body that is recovered
2002	152 deaths or disappearances	250	
2003	236 deaths or disappearances	400	
2004	288 deaths	500	The Mexican newspaper El Universal estimates

or disappearances

that four thousand people have died over the last five years, and that as many have been rescued by the authorities when they were on the verge of dying.

According to information provided in the Congreso Mundial de Movimientos Humanos e Inmigración (World Congress on Human Movements and Immigration) at the 2004 Barcelona Forum, around 10,000 "illegal" immigrants may have lost their lives.



Growing investment for the control and rejection of immigrants

The arrival of the PSOE to the government, in spite of its previous criticism of the SIVE, has not resulted in any important changes with regards to border control policies. During the year 2004 the measures to extend the inhumane "sealing" of both the Andalusian coast and the Canary Islands coasts have continued to increase. The so-called SIVE has been extended to the whole of the Cádiz coast during the year 2004 and, over the years 2005-2006, it is planned to be extended to the whole of the Andalusian coast.

If, during the year 2003, investment into the SIVE topped 29 million Euro, in 2004 this investment has grown, topping 32 million Euros. In 2005, the planned investment into the SIVE, just for the Andalusian coast, is considerably more than 40 million Euros. Current costs for maintenance and staffing should be added to these figures. As for the Canary Islands, the expected investment into the SIVE for 2005 is of over 12 million Euros.

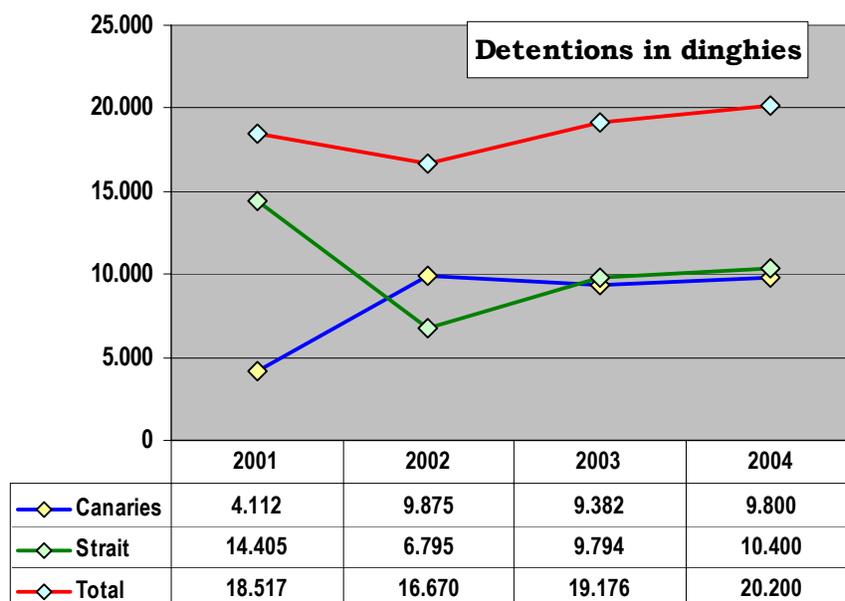
Thus, we are talking about important budget allocations aimed at investment, infrastructure, personnel and maintenance.

The staff numbers and investments to be used for sealing the borders in Ceuta and Melilla (two Spanish enclaves on the northern Moroccan coast) have also grown. The extension of the perimeter road and the raising of the fences to over six metres is under examination, and it cannot be excluded that the related construction work may start in 2005.

According to data from the Guardia Civil, during the year 2004, in each of these two cities around 50,000 attempts to climb over the enclosure that represents the border have been prevented. Likewise, there were several attempts to enter using a “critical mass” and incidents such as people trying to climb over, or stone throwing against guardias civiles from the other side of the border, etc. have taken place repeatedly.

This important growth in the levels of investment for technology and infrastructure for border controls, is in contrast with the lack of means allocated for the rescue and salvage of dynghies. This fact has been reported by the Asociación Unificada de la Guardia Civil (AUGC, an association of which around a third of Spain’s guardias civiles are members) and by other unions alike. In fact, the ill-suitedness of the Gurdia Civil’s patrol boats for rescue operations has caused a number of accidents, due to the practice of accosting the dynghies in the open sea.

As for arrests, in spite of this deployment of means and investment, in 2004 we have continued to have similar figures as in previous years.



The data from 2001 to 2003 come from the overview by the Government Delegation for Immigration of the Interior Ministry. In this overview, the

Interior Ministry includes the Andalusian coasts, Ceuta and Melilla under the “Strait” heading. The figures for 2004 are estimates.

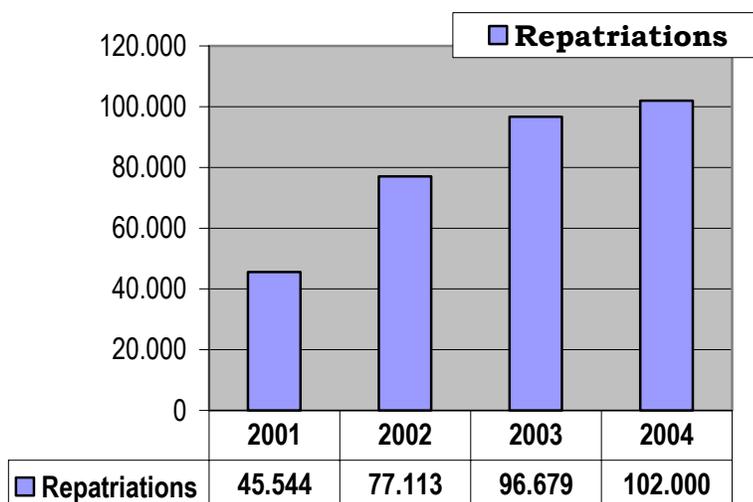
In spite of the provisional nature of the figures, we can appreciate that there has not been a decrease in arrests or the number of intercepted vessels in 2004, but rather, the opposite has been the case.

A first consideration would be that in any case it is always difficult to know exactly how many people actually attempt the difficult sea crossing in fragile dynghies or by other means, how many are arrested, how many succeed and how many lose their lives in the attempt. Also, it is difficult to demonstrate the relation between larger or smaller levels of illegal immigration based on the number of arrests.

This is why it is surprising to see the deliberate “spin” exercise that was carried out by the government during the presentation of figures concerning migrants arrested on the Andalusian coasts. According to the general in chief of the Guardia Civil for the region of Andalusia, during 2003 a total of 12,255 persons were arrested in the Andalusian coasts, plus Ceuta and Melilla. This figures is higher by 2,500 persons, compared with the official figures from the Interior Ministry, which are reflected in the graph above (9,794 persons).

Which of them is the correct figure? It appears obvious that different criteria are arbitrarily employed, which can be used to embellish or magnify the SIVE’s operational effectiveness.

On the other hand, insofar as expulsions or repatriations are concerned, in 2004 the budget for expulsions rose by 120%, and new repatriation agreements were signed with several African countries.



The rights of detained immigrants continue to be violated

There have been frequent violations of the rights of immigrants detained for attempting to migrate illegally throughout the year 2004.

The means deployed for rescue operations on the coasts of Andalusia, the Canary Islands, Ceuta and Melilla continue to be inadequate. In fact, it has only been recently acknowledged by the General direction of the Guardia Civil that this paramilitary force's mission is not just to detain immigrants but also, basically, to rescue them. However, the means deployed for doing so are insufficient or inadequate. This fact runs contrary the investments that have been allocated for surveillance, detection and controls, and has been criticised by personnel from Salvamento Marítimo (the Maritime Rescue Service), the AUGC and trade unions.

On the other hand, the conditions of reception for detained migrants continue to leave plenty to be desired; this year, the situation has been especially serious in places like the ports of Motril or Adra, or in the Canary Islands. All kinds of things are missing, as has been claimed by members of the Red Cross: covers, medical care, adequate shelter, and even food.

Likewise, the problems relating to translation/interpreting and legal assistance, an issue that has been criticised by international organisations including the UN itself, continue without having been properly resolved, as the lack of a lawyer or of an interpreter is frequent, and legal assistance is usually provided in a manner that is not personalised, or it is simply inexistent. Immigrants are expelled or left in the street without sufficient information about their rights and possibilities.

Likewise, it should also be pointed out that the Guardia Civil acts illegally when it carries out "in situ" (on the spot) expulsions, through a trap-door in the barbed wire, contravening legislation and the measures regarding persons who are on the national territory that are established in International Conventions.

Likewise, we want to highlight the continuing existence of differential treatment based on nationality after migrants disembark from dynghies, depending on whether a repatriation agreement is in force or not.

In the same way, or in the same direction which moves towards the violation of the rights of detainees, unfortunately Spain has actively backed and taken part in charter flights for the expulsion of immigrants, in accordance with the decision taken in the European Council on 29 April of this year [2004]. This decision and the respective Spanish participation is a serious violation of International Treaties on Human Rights that expressly prohibit collective expulsions, particularly towards countries where the respect for human rights is more than questionable.

Cooperation of/with Morocco

It is undoubtedly one of the “star” issues that is reiterately addressed when talking of “illegal immigration”.

It includes the controversy that was unleashed at the end of the year by several authorities in the Canary Islands such as president Cabildo of Fuerteventura, who accused Morocco of “genocide” and of a lack of cooperation in the control of immigration by this country in relation to the continuing phenomenon of sea-crossings using dinghies. Some trade unions hold similar positions, while the State Secretary for Immigration, Consuelo Rumí, has exonerated the Spanish and Moroccan governments of any blame: according to Rumí, the responsibility must be sought among the mafias “that seek new methods as a result of the effectiveness of the controls that are being carried out”.

There are no reflections on the structural nature of the phenomenon of immigration, and even less on the current policy of rejection and control that is being practised by Spain.

We feel that it is hypocritical and contradictory to simultaneously require the democratisation of Morocco and the implementation of increasingly harsh measures for border controls and the rejection of sub-Saharan immigrants, and for Morocco to control that part of its own population that wishes to migrate. These measures imply the strengthening of the repressive [dimension of the] state and the restriction of civil liberties.

The Immigration Law approved by the Moroccan government and praised by Spain, but forcefully criticised by Moroccan human rights associations, falls into this framework.

For Spain and for the European Union, the goal appears to be to achieve that Morocco should become a sort of buffer state, that is, to transfer immigration controls to Morocco, even if this were at the expense of the violation of basic human rights, for both sub-Saharan Africans and the Moroccans themselves.

Nonetheless, within this context, Spanish opposition to the creation of detention centres in Morocco for immigrants who are in transit must be welcomed. This measure clearly violates international agreements and would result in the externalisation of the management of immigration by the EU, transferring it to the Maghreb countries: Lybia, Tunisia, Algeria and Morocco, through the creation of veritable concentration camps for immigrants and asylum seekers.

French-Spanish opposition has “temporarily” paralysed the implementation of this measure. Likewise, both the Algerian and Moroccan governments have expressed their reservations. Nonetheless, we are concerned by the bilateral negotiations that have taken place with this objective between Spain and Morocco which, according to sources, may result in the creation of five camps in Morocco.

As for the readmission agreements with Morocco concerning non-Moroccan nationals (signed in 1992 and re-affirmed in the meeting between Aznar and king Mohammed VI that was held at the end of 2003), these are not being applied in practice. A situation that the APDHA welcomes.

Immigrant minors

Another thing that must be welcomed is the derogation by the Fiscal General del Estado (attorney general) of the order dated 23 October of last year concerning the return of unaccompanied minors who are over 16 years old. Nonetheless, the memorandum that was signed on 23 December 2003 with Morocco for the return of minors has not been denounced.

The implementation of this memorandum agreement has affected around 100 minors who, according to the sources that we have consulted, in at least 60% of cases have re-attempted to enter Spain. In almost 90% of the cases, they have not been integrated into their families and have been abandoned in the streets in several Moroccan cities after suffering, in many cases, violence and harassment by the police.

It appears to have been proved to be false that the return of minors to their country is aimed at integrating them into their families, because neither have these families been found, nor, in the cases where they have been found, is there any guarantee that the minors will be reincorporated, nor that their protection and development are guaranteed.

Thus, it is a matter of the competent authorities committing to and exercising the duty of care and protection [of the minors] as is established by the Law, and that they should reserve repatriation exclusively for cases in which a real guarantee of family integration and of the protection of the minor's interests are guaranteed.

Sub-Saharan in Morocco

Another of the serious consequences of the closed border policy is the appearance of improvised camps near the borders of Ceuta and Melilla and in other areas of Morocco, in which thousands of people await their opportunity to cross the sea to reach Europe.

These people have had to cross Africa in a journey during which they have suffered pitiful conditions. Dehydration, lack of food, endless walking, withstanding the heat or cold. Sometimes, these conditions have included persecution by the police, arbitrary detentions, deportations or detention in inhumane conditions. Many of them have

ended up dying in the deserts of the Sahara, in a humanitarian tragedy whose dimensions have yet to be quantified.

When they reach Morocco, they often have to withstand the racism of certain sectors of the population, hide from harassment and persecution by the police, which leads them to a clandestine existence and to waiting for their chance to climb over the border fences in Ceuta and Melilla or to embark in a dinghy, in inhumane conditions in the camps we have mentioned.

At least five of these camps exist: Oujda on the Algerian border, Mount Guruguru in Melilla, Benyunes near the border in Ceuta, Mesnana in Tangiers, El Ayoun and Dejla in the [Western] Sahara. Thousands of persons, including pregnant women and children, live awfully, without food or shelter, under the rain or the heat, without medical care, having to boil polluted water, etc...

In these camps, they suffer the daily persecution by the Moroccan police, which frequently carries out raids in the camps, taking away anything they possess, preventing the arrival of humanitarian aid, obstructing or denying them medical care, detaining and sometimes ill-treating them. And after all of this suffering, they are often expelled in charter flights financed by the European Union.

These people must also suffer the actions of the Spanish public order forces which, when they manage to enter Ceuta or Melilla, forcefully and absolutely illegally bundle them over to the other side of the border, using trap-doors in the fences. Through these practices, international treaties are being contravened.

A different immigration policy is necessary

From the APDHA, we have been repeatedly insisting that the current closed border policy is inhumane, cruel, and contravenes basic human rights. Furthermore, it is a policy that lacks common sense and which is unable to manage and legally tackle migration flows.

We refer to the results shown above.

To this, we must add that the policy of the water-tight sealing of the border does not prevent illegal immigration, or the existence of undocumented [immigrants] in Spain. In fact, there have never been more undocumented immigrants in Spain.

The Padrón Municipal de Habitantes (municipal records of people living under a given local authority) for 2003, indicated that the number of foreign persons residing in Spain was 2,700,000. As the number of foreign residents with residence permits that were in force on 31 December 2003 were, according to the interior minister, 1,700,000 persons, it is possible to infer that there are at least 1,000,000 undocumented foreigners.

Over the last few years we have been putting forward the idea, with great clarity, that the closed border policy is a failure that could only give rise to tragedies and suffering. This is why we consider that it is a more appropriate time than any to insist that there is a need for a 180° turn. And that, alongside a committed policy of cooperation with countries from the so-called Third World, the only realistic alternative to the death and tragedy of illegal immigration, is precisely to advance towards an immigration policy that is more open, more generous and involves greater solidarity.

Asociación Pro Derechos Humanos de Andalucía
Área de Inmigración (Immigration Area)
December 2004

Unofficial Statewatch translation of the original report (in Spanish, pdf), available at:

<http://www.apdha.org/areas/documentos/inmigra2004.pdf>